

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

10089/28

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/566157

INTERNATIONAL APPLICATION NO

PCT/JP2004/011306

INTERNATIONAL FILING DATE

30 July 2004

PRIORITY DATE CLAIMED:

31 July 2003

TITLE OF INVENTION

PLANT PRODUCING HYALURONIC ACID

APPLICANT(S) FOR DO/EO/US

SHIBATANI, Shigeo; MISAWA, Shuhei; IHARA, Izumi; KITAZAWA, Hiroaki

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **INTERNATIONAL SEARCH REPORT, COVER SHEET OF PUBLISHED PCT APPLICATION, SEQUENCE LISTING, VERIFICATION OF SEQUENCE LISTING**

| | | | | | |
|---|--------------|---|------------|--------------------------|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO | | ATTORNEY'S DOCKET NUMBER | |
| 10/566157 | | PCT/JP2004/011306 | | 10089/28 | |
| 21. The following fees are submitted: | | | | | |
| <input checked="" type="checkbox"/> Basic National Fee..... | | \$ 300.00 | | \$ 300.00 | |
| 22 <input checked="" type="checkbox"/> Examination Fee | | | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... | | | | | |
| | | \$ 100.00 | | | |
| All other situations | | \$ 200.00 | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search Fee | | | | | |
| Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority | | | | | |
| | | \$ 100.00 | | | |
| International Search Report prepared and provided to the Office..... | | | | | |
| | | \$ 400.00 | | \$ 400.00 | |
| All other situations | | \$ 500.00 | | | |
| TOTAL OF ABOVE CALCULATIONS | | | | \$ 900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 49 | 0/50=0 | 0 | x \$250 | \$ -0- | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 21 - 20 = | 1 | x \$50.00 | \$ 50.00 | |
| Independent Claims | 8 - 3 = | 5 | x \$200.00 | \$1,000.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ -0- | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,950.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ -0- | |
| SUBTOTAL = | | | | \$1,950.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ -0- | |
| TOTAL NATIONAL FEE = | | | | \$1,950.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$1,990.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$1,990.00 to over the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: KENYON & KENYON LLP 1500 K Street, N.W., Suite 700 Washington, DC 20005 CUSTOMER NO. 23838 | | | | | |
| <u>King L. Wang (Reg. No. 37,500) for</u> SIGNATURE (Reg. No. 48,361) NAME: Cassandra T. Swain, Ph.D. DATE: 27 January 2006 | | | | | |

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IAP9 Rec'd PCT/PTO 27 JAN 2006

VERIFICATION OF TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP2004/011306 is a true and complete translation of the above identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

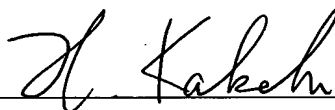
Date

January 10, 2006

Full name of the translator

Hiromichi KAKEHI

Signature of the translator



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